

April 25, 2011

Charles Allen
AFSCME Business Agent
Municipal Employees' Federation (MEF) AFSCME, Local 101
Confidential Employees' Organization (CEO) AFSCME, Local 101
1900 Embarcadero #305
Oakland, CA 94606

Re: Mediation

Dear Charles:

We are in receipt of your and Andrew Baker's letters dated April 21, 2011. The City is concerned and rather befuddled by the course of action taken by MEF/CEO in the last week.

After the City declared impasse on Monday April 18th, MEF/CEO confirmed attendance at our meeting scheduled for April 25th. The City confirmed its offer of mediation in writing on April 19th and indicated that a State Mediator had been secured for April 25th. On April 20th, the City was contacted by the State Mediation and Conciliation Services indicating that MEF/CEO had requested a different Mediator. While the City had no objection to the assigned mediator, in an effort to accommodate MEF/CEO, the City agreed to a switch.

On April 21st, the newly assigned mediator indicated to the City that MEF/CEO now was claiming the meeting date of April 25th might be problematic in that the MEF/CEO negotiating team may not have been provided with sufficient release time for the meeting. This was puzzling, since the release time notification for the meeting on April 25th had been provided almost a month prior on March 22nd and this issue had not been raised since that time.

Nonetheless, to address your concern regarding release time, the Office of Employee Relations staff personally contacted the administration of each applicable department to confirm and verify the release time for April 25th. This assurance was provided to both the State mediator and MEF/CEO that same day. That evening, (at 5:59 p.m. and 6:54 p.m., respectively), we received your and Mr. Baker's letters, indicating that MEF/CEO was cancelling today's meeting and requesting an electronic counterproposal from the City before our next scheduled meeting on May 2nd.

We will not be providing MEF/CEO with a counterproposal, as there has been no change in circumstances since the City declared impasse on Monday April 18th. Therefore, the parties remain at impasse for the reasons stated on April 18th and in our letter of April 19th. Nevertheless, in our continuing effort to accommodate the requests of MEF/CEO, we have cancelled the meeting scheduled for April 25th. Based on your and Mr. Baker's letters, we understand that MEF/CEO is in the process of preparing a proposal which you believe will break the impasse and we look forward to receiving that, either before or at our scheduled mediation session on May 2nd.

The City looks forward to continuing to work with the Union in an attempt to reach agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Donnelly", written in a cursive style.

Gina Donnelly
Deputy Director of Employee Relations

c: Yolanda Cruz, MEF President
LaVerne Washington, CEO President